

WRIT PETITION NO. 8 OF 1997

Merit Pharmaceuticals
Pvt. Ltd., a Company
duly registered under the
Indian Companies Act, 1956
with its registered office at
250 A, Alto Porvorim, Goa,
403 521, through its
Director, Mr. Arun Baba
Naik, G-4/2, Alcon Estate,
near Dhempe College,
Panaji, Goa.

... Petitioner.

Versus

1. State of Goa, through
the Secretary, Ministry
of Labour, Government
of Goa, Secretariat,
Panaji, Goa, and
2. The Joint Secretary
(Labour), Labour Depart-
ment, Government of
Goa, Secretariat Annexe,
EDC House, Panaji,
Goa.

... Respondents.

Shri S. D. Lotlikar, Senior Advocate with Shri A. D.
Bhobe, advocate for the petitioner.

Shri V. P. Thali, Addl. Advocate General with Ms. W.
Couitinho, Government Advocate for the respondents.

CORAM: P. V. KAKADE &
P. V. HARDAS, JJ.

DATE: 22nd October, 2002

ORAL JUDGMENT (Per P. V. Kakade, J.)

Heard learned counsel for the petitioner as well
as learned Additional Advocate General for the respondents.
Shri Thali, learned Additional Advocate General has brought
to our notice the particulars of the Notification which is
to be promulgated in this regard, which shows that the plea

of the petitioner to seek benefit retrospectively is allowed subject to two conditions. The said conditions are:-

- (i) that whatever amount has been paid by the Corporation to the State Government has to be reimbursed by the State Government to M/s. Merit Pharmaceuticals Pvt. Ltd., Alto Porvorim, Goa; and
- (ii) whatever amount deducted by the employer from the wages of the workmen as contribution under E.S.I. Scheme shall be refunded to the concerned medical representatives.

With this Notification with conditions, nothing survives in the Writ Petition and on the basis of the said Notification, which is sought to be issued, the Writ Petition stands disposed of. The learned Additional Advocate General makes a statement that the Notification shall be officially issued within a period of four weeks from today. The amount of Rs.36,357/- deposited by the petitioner in these proceedings shall be refunded to the petitioner accordingly.

The Writ Petition stands disposed of. Rule made accordingly.

P. V. KAKADE, J.

P. V. HARDAS, J.

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